

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KIRK KEVIN RICE,

Petitioner,

File no: 1:07-CV-1146

v.

HON. ROBERT HOLMES BELL

CARMEN PALMER,

Respondent.

**ORDER APPROVING MAGISTRATE'S  
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that Petitioner's habeas corpus petition is hereby **DENIED** because it is barred by the one-year statute of limitations.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**. *See Slack v. McDaniel*, 529 U.S. 473 (2000).

Date: January 8, 2008

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
CHIEF UNITED STATES DISTRICT JUDGE